

AO 91 (Rev. 11/11) Criminal Complaint

FILEDMAR 16 2018
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY KMF DEPUTY**UNITED STATES DISTRICT COURT**

for the

Western District of Texas

United States of America)

v.)

Justin C. Ayoub)

Case No. SA18-MJ-333)

*Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

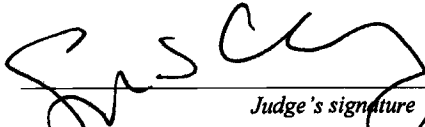
On or about the date(s) of March 8, 2018 in the county of Bexar in the
Western District of Texas, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 875(c)	Transmitted in interstate commerce communications containing threats to injure the person of another
	PENALTIES: Maximum 5 years imprisonment, \$250,000 fine, 3 years supervised release, \$100.00 mandatory special assessment.

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.

- ☒ Sworn to before me and signed in my presence.
☐ Sworn to telephonically and signed electronically.

Date: 03/16/2018City and state: San Antonio, Texas
*Complainant's signature*Matthew W. Shelley, FBI Special Agent*Printed name and title*
*Judge's signature*ELIZABETH S. CHESTNEY, U.S. Magistrate Judge*Printed name and title*

**AFFIDAVIT IN SUPPORT OF
A CRIMINAL COMPLAINT**

1. I, Matthew W. Shelley, am a Special Agent (SA) with the Federal Bureau of Investigation (FBI) currently assigned to the Safe Streets Violent Gang Task Force (SSVGTF) of the San Antonio Division. I have been assigned to the San Antonio Division since August, 2016, and as a member of the SSVGTF since approximately December, 2016. Prior to my assignment within the San Antonio Division, I was assigned to a violent crime squad within the Phoenix Division, Gallup, New Mexico Resident Agency of the FBI from January, 2011 until July, 2014, wherein I investigated violent criminal activity occurring on the Navajo Nation Indian Reservation within the District of Arizona. I also served as a Texas Peace Officer, employed by the Texas Parks and Wildlife Department, for over seven years. Throughout my investigative experience in law enforcement I have participated in complex investigations involving organized criminal enterprises, violent gangs, street gangs, drug trafficking organizations and criminal enterprises involved in drug conspiracies, racketeering, extortion and other violent crimes including kidnapping and homicide. I have received significant training in interview/interrogation techniques, crime scene processing and evidence collection and have utilized those skills in the execution of numerous search warrants. Additionally, as an FBI Special Agent, I have led and/or participated in multiple investigations involving child sexual abuse, sexual assaults, and violent physical assaults of both children and adult victims.

2. I make this affidavit in support of an application for a criminal complaint under Federal Rule of Criminal Procedure Rule 4.

3. The information contained herein is based on my personal knowledge and observations made during the course of this investigation, information conveyed by other law

enforcement personnel from, interviews and investigative activity, and the review of records and documents obtained during this investigation.

4. This affidavit is intended to show only that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

5. Based on the facts set forth in this affidavit, there is probable cause to believe that violations of Title 18, United States Code (U.S.C.), Section 875 (c), Interstate Communications of Threat to Injure, have been committed and will be committed by **JUSTIN AYOUB**.

PROBABLE CAUSE STATEMENT

6. On March 08, 2018, the victim (VICTIM), A.A., and her fiancé, B.F., flew to Saint Lucia, an eastern Caribbean island nation for vacation. While traveling – outside the state of Texas -- VICTIM received the following voicemail from **AYOUB**.

“Hey, I’m gonna kill you both tonight. So, sorry I’m glad you got engaged and everything, but you are going to die tonight. I’m already in the car on the way. I’m already in the car on the way to El Paso. You are gonna fucking die tonight.”

7. On March 14, 2018, FBI SAs interviewed the VICTIM’s brother, who resides in El Paso. VICTIM’s brother identified the voice on the voicemail as belonging to **AYOUB**, which he recognized because his sister, the VICTIM, and **AYOUB** had been in a relationship from approximately 2010 to approximately 2015, as a result, he had spoken to **AYOUB** on many occasions. The VICTIM’s brother was not surprised by the death threat, as **AYOUB** had been volatile during the long relationship between him and the VICTIM.

8. On March 14, 2018, an FBI Special Agent telephonically interviewed VICTIM. VICTIM stated, she met **AYOUB** while both attended the Texas Christian University (TCU) in Fort Worth, Texas. In 2009, VICTIM graduated from TCU. On or about 2010, VICTIM and

AYOUB started dating while they were both living in El Paso. **VICTIM** and **AYOUB** had an “on-and-off” relationship, which ended in either 2015 or 2016. Around the time they ended their relationship, **AYOUB** went to the home of the **VICTIM**’s mother, banging on the door looking for the **VICTIM**. **VICTIM** described **AYOUB** as being “too aggressive,” “extremely violent,” and “threatening” during their relationship.

9. In February 2016, **VICTIM** began dating her fiancé. On March 7, 2018, **VICTIM** became engaged to marry her fiancé, resulting in messages and posts of the engagement appearing on social media.

10. On March 8, 2018, at approximately 3:00 p.m., **VICTIM** and her fiancé departed the El Paso International Airport in-route to St. Lucia for vacation. On March 8, 2018, **VICTIM** and her fiancé had an overnight layover in Atlanta, Georgia.

11. When **VICTIM** arrived in St. Lucia on March 9, 2018, and connected to WiFi, she had 17 telephone calls from “No caller ID” and 10 voicemail messages from “Unknown.” The first telephone call was on March 8, 2017 at approximately 5:02 p.m. **VICTIM** identified the voicemail messages as **AYOUB** by **AYOUB**’s voice. On March 12, 2018, **VICTIM** received two voicemails from “Unknown.” **VICTIM** identified the voicemail messages as **AYOUB** by **AYOUB**’s voice. **VICTIM** was in St. Lucia at the time.

12. On March 14, 2018, **VICTIM** received nine telephone calls with the display “No caller ID” and two voicemail messages from “Unknown.” **VICTIM** identified the voicemail messages as **AYOUB** by **AYOUB**’s voice. **VICTIM** was in St. Lucia at the time.

13. **VICTIM** blocked **AYOUB**’s Number a long time ago. As a result, when **AYOUB** calls, the **VICTIM**’s cellular telephone displays “No caller ID.” Voicemails left by **AYOUB** on **VICTIM**’s phone are labeled as “Unknown.”

14. On March 14, 2018, VICTIM forwarded to an FBI SA 11 voicemails she received from **AYOUB**. Ten of the 11 voicemails were received on March 8, 2017, between approximately 5:02 p.m. and 9:49 p.m. The following is a summary of some of the voicemail messages received:

(a) On March 8, 2017, "What is the problem A.? My dad doesn't make as much money as B. dad? As B. dad? As his grandpa? Is that what the problem is? We don't make enough money for you? Sell too many used cards? Run too many hotels? You fucking piece of shit! I hope you fucking die, I'm going to fucking murder you bitches."

(b) On March 8, 2017, "Death is coming to you."

(c) On March 8, 2017, "You tell me after eight years on and off that I didn't fucking get it right. And I can't put a ring on your finger, but the fucker in a year and a half puts a ring on your finger. You manipulative bitch! You made it happen for yourself. I'm going to fucking make you pay for it!"


(d) On March 14, 2018, "Haha! The FBI? Hahaha! You fuckers, those guys suck! They suck! You guys are gonna have to try harder than that, you fucks."

15. VICTIM stated she felt threatened, and continues to feel threatened, by the voicemail messages from **AYOUB**. VICTIM and her family are concerned for their safety.


16. According to VICTIM, **AYOUB** has access to numerous weapons. **AYOUB**'s hobby is hunting.

17. Based upon investigation, and according to **AYOUB**'s Facebook post, he is currently located in San Antonio, Texas, where he is enrolled in a local culinary school.

18. **AYOUB** and **VICTIM** have mutual friends and **AYOUB** knows where **VICTIM** works.


MATTHEW W. SHELLEY
Special Agent, FBI San Antonio

Subscribed and sworn before me the 16 day of March, 2018.


ELIZABETH S. CHESTNEY
United States Magistrate Judge